

Message Text

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ACTION L-02

INFO OCT-01 EUR-08 ISO-00 IO-04 EB-04 FRB-01 OMB-01 TAR-01

SP-02 SWF-01 AGR-05 AID-05 CIAE-00 COME-00 INR-05

LAB-01 NSAE-00 OIC-02 RSC-01 SIL-01 STR-01 TRSE-00

CIEP-01 CEA-01 NSC-05 SS-15 EA-06 /074 W

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R 312154Z OCT 74

FM AMEMBASSY PARIS

TO SECSTATE WASHDC 3801

USMISSION USUN

INFO AMEMBASSY LONDON

AMEMBASSY BONN

AMEMBASSY ROME

AMEMBASSY COPENHAGEN

AMEMBASSY BRUSSELS

AMEMBASSY THE HAGUE

AMEMBASSY DUBLIN

AMEMBASSY LUXEMBOURG

USMISSION EC BRUSSELS

USMISSION OECD PARIS

C O N F I D E N T I A L PARIS 25883

E.O. 11652: GDS

TAGS: UNCTAD EGEN FR

SUBJECT: CHARTER OF ECONOMIC RIGHTS AND DUTIES OF
STATES.

REF: STATE 235919

1. USG RECOMMENDATION FOR NEGATIVE VOTE ON CHARTER
AS WHOLE WAS REVIEWED OCTOBER 30 WITH CHOLLET OF
MINISTRY FOREIGN AFFAIRS, WHO SAID GOF FULLY AWARE OF

USG POSITION BUT HAD NOT YET DECIDED WHETHER TO VOTE
NO OR ABSTAIN (WITH NO VOTES ON UNACCEPTABLE ARTICLES).

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HE SAID HE DOUBTED IF MANY COUNTRIES, OTHER THAN FRG,

JAPAN, AND PERHAPS UK, WOULD NECESSARILY VOTE NO ON ENTIRE CHARTER: THERE IS NO EC POSITION ON HOW TO VOTE.

2. CHOLLET AGREED COMPROMISE SEEMED UNLIKELY ON ARTICLE 2 BUT MAINTAINED THAT GOF FELT ITS JURIDICAL POSITION WOULD BE UNASSAILABLE IN NATIONALIZATION DISPUTES IF IT VOTED NEGATIVELY ON THAT ARTICLE, EVEN THOUGH NOT NECESSARILY ON ENTIRE CHARTER. GOF VOTE ON ENTIRE CHARTER, HE SAID, WOULD DEPEND ON BALANCE OF AGREEMENTS REACHED ON OTHER ARTICLES, AMONG THEM THE ARTICLES SETTING OUT THE CHARTER'S STATUS UNDER INTERNATIONAL LAW, AND PROVIDING FOR GUARANTEES OF SUPPLY. HE SAID GOF HAD NOT YET DECIDED WHAT IT WOULD DO IF UNGA REFUSED ARTICLE-BY-ARTICLE VOTE.

3. COMMENT: GOF IS LEANING TOWARD ABSTENTION WITH

NEGATIVE VOTES ON UNACCEPTABLE ARTICLES. GOF NOW BELIEVES PASSAGE OF CHARTER INEVITABLE (CHOLLET ADMITTED HE HAD BEEN OVER-OPTIMISTIC EARLIER IN HOPING THAT VOTE COULD BE DELAYED). DESPITE OUR ARGUMENTS, GOF CLEARLY BELIEVES ITS POSITION WILL BE ADEQUATELY PROTECTED BY NEGATIVE VOTES ON ARTICLES WHICH IT FINDS UNACCEPTABLE, AND THAT NEGATIVE VOTE ON ENTIRE CHARTER BY SMALL NUMBER OF INDUSTRIALIZED STATES WILL BE ESSENTIALLY IRRELEVANT. FRENCH NO VOTE ON ENTIRE CHARTER SEEMS LIKELY ONLY IF GROUP OF 77 CONTINUES TO BLOC COMPROMISE LANGUAGE ON THOSE ARTICLES GOF FINDS INTERESTING.

4. CHANGING SUBJECT, CHOLLET ASKED WHY USG WAS DECLINING TO PARTICIPATE IN INDUSTRIALIZED COUNTRY CONSULTATIONS WITHIN UNGA COMMITTEE II. HE MENTIONED QUESTION OF UNIDO SPECIAL FUND AS ONE OF SEVERAL ON WHICH USUN WAS APPARENTLY UNREADY OR UNWILLING TO CONSULT. ACTION REQUESTED: WOULD APPRECIATE DEPARTMENT OR USUN SUPPLYING US WITH MATERIAL FOR

RESPONSE TO CHOLLET ON THIS POINT.

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30 JUN 2005

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